

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 9:00 A.M. JUNE 17, 1997

PRESENT:

Joanne Bond, Vice Chairman
Jim Galloway, Commissioner
Mike Mouliot, Commissioner
Jim Shaw, Commissioner

Betty Lewis, Chief Deputy County Clerk
John MacIntyre, County Manager
Madelyn Shipman, Legal Counsel

ABSENT:

Grant Sims, Chairman

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

97-616 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Bond ordered that the agenda for the June 17, 1997 meeting be approved.

PUBLIC COMMENTS

There was no response to the call for public comments.

97-617 FY 1996/97 HEALTH CARE ASSISTANCE PROGRAM CLINIC REIMBURSEMENT RATE ADJUSTMENT - SOCIAL SERVICES

Upon recommendation of May Shelton, Director, Department of Social Services, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Bond ordered that the Director of Social Services be authorized to reimburse for Clinic services in the Health Care Assistance Program (HCAP) up to 95% of billed charges for the period July 1, 1996 through June 30, 1997.

97-618 RESPONSIBILITIES CHAPTER - COUNTY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

Upon recommendation of Press Clewe, Emergency Manager, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that the Responsibilities Chapter of the County Comprehensive Emergency Management Plan, describing the basic responsibilities of various County departments and divisions and other jurisdictions, special districts, cities, private organizations, hospitals and lifeline utility, essential services businesses be accepted and approved.

97-619 TRANSFER OF FUNDS - INDIGENT TAX LEVY FUND (021) INMATE MEDICAL SERVICES - FINANCE

Upon recommendation of Lisa Gianoli, Finance Division, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Bond ordered that a transfer of up to \$725,000 from the Indigent Tax Levy Fund (021) to the

General Fund, Sheriff's Office Inmate Medical account be approved; that the Comptroller's Office be directed to make the specified appropriation and cash transfers as follows:

Decrease			Increase		
Acct.	Descrip.	Amt.	Acct.	Descrip.	Amt.
021-2101-7419	Indigent Medical	\$725,000.00	001-15090-7140	Prof. Svcs.	\$725,000.00

97-620 PURCHASE - LANIER DICTATION EQUIPMENT - DISTRICT ATTORNEY

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that the purchase of Lanier dictation equipment in the amount of \$63,724.00 from Lanier Worldwide Inc., Voice Products Division to replace and upgrade the Lanier equipment presently installed in the Criminal Division, on behalf of the District Attorney's Office, be approved.

It was further ordered that the purchase be considered an exception to the requirements for competitive bidding under NRS 332.115(c) and (d) as the equipment will replace and upgrade existing equipment that staff is already trained and familiar with, and Lanier has offered a substantial trade in allowance on their outdated equipment.

97-621 PURCHASE - (2) CANON NP980 MICROFILM READER/PRINTERS - LIBRARY

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that the purchase of two Canon NP980 Microfilm reader/printers for the Washoe County Library from High Desert Micrographics, in the amount of \$29,292.00 be approved.

It was noted that funds for this expenditure are contained in the Library's 1996/97 budget, account #1301-7802.

97-622 ACCEPTANCE OF DONATIONS - DOROSTKAR PARK

Upon recommendation of Karen Mullen, Assistant Director, Parks & Recreation Department, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that a cash donation of \$257.00 for the purchase of a bench and \$800.00 paid directly to the Garden Shop Nursery for the purchase of two trees for Dorostkar Park from Wayne A. and Pearl Bartels be accepted with gratitude.

97-623 ACCEPTANCE OF DONATIONS - WHITES CREEK TRAIL - PARKS

Upon recommendation of Karen Mullen, Assistant Director, Parks and Recreation Department, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that a donation from the Galena Market in the amount of \$1,000.00 representing proceeds from their 1997 "Fun Run" for the purchase of signs for Whites Creek Trail, be accepted with gratitude.

97-624 WATER RIGHTS DEEDS - HARRY C. FRY - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, it was ordered that three Water Rights Deeds for 9.467 acre-feet of water rights being a portion of Permit 62137; 3.36 acre-feet of water rights being all of Permit 61860; and 5.693 acre-feet of water rights being a portion of Permit 11533 for a total combined duty of 18.52 acre-feet between Harry C. Fry as Grantor and Washoe County as Grantee, be approved; that Vice Chairman Bond be authorized to execute the three Water Rights Deeds; and that the Utility Services Division Manager be directed to record the Water Rights Deeds with the County Recorder.

It was noted that the water rights are being dedicated in support of future parcel maps within the Pleasant Valley area.

97-625 WATER RIGHTS DEED - TIM KNIFFEN - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Water Rights Deed for 2.02 acre-feet of water rights being a portion of Permit 56742, Certificate 14187, between Tim Kniffen as Grantor and Washoe County as Grantee be approved; that Vice Chairman Bond be authorized to execute the Water Rights Deed; and that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that the water rights are being dedicated in support of the Kniffen parcel map creating one new parcel within the Washoe Valley area, APN 055-270-06.

97-626 WATER RIGHTS DEED - THE NELL J. REDFIELD FOUNDATION - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Water Rights Deed between The Nell J. Redfield Foundation and Washoe County for 179.32 acre-feet being a portion of Permit 60128 and 357.32 acre-feet being a portion of Permit 60127 acre-feet for a total of 536.64 acre-feet of water rights be approved; that Vice Chairman Bond be authorized to execute the Water Rights Deed; and that the Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that the water rights are being dedicated in support of ArrowCreek Subdivision.

97-627 WATER RIGHTS DEED - ROBERT A. TOGLIATTI AND VICKI VAN ZANT - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Water Rights Deed for 0.20 acre-feet of water rights being a portion of Permit 52420, Certificate 14541, and 5.86 acre-feet of water rights being a portion of Permit 52421, Certificate 14542, for a total of 6.06 acre-feet of water rights between Robert A. Togliatti and Vicki Van Zant as Grantor and Washoe County as Grantee, be approved; that Vice Chairman Bond be authorized to execute the Water Rights Deed; and that the Utility Services Division Manager be authorized to record the Water Rights Deed with the County Recorder.

It was noted that the water rights are being dedicated in support of one parcel map creating three new parcels within the Pleasant Valley area, APN 017-320-02.

97-628 WATER RIGHTS DEED & WATER SALE AGREEMENT - CHARLEEN MAYER, BARBARA HILLYGUS, DON EDGINGTON & ROBERT EDGINGTON - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that the Water Rights Deed for 0.80 acre-feet of surface water rights being a portion of Claim 555 between Charleen Mayer, Barbara Hillygus, Don Edgington, Robert Edgington and Washoe County and the Water Sale Agreement between Washoe County and Sierra Pacific Power Company, be approved; that Vice Chairman Bond be authorized to execute the Water Rights Deed and Water Sale Agreement; and that the Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

It was noted that the water rights are being dedicated in support of Charleen Mayer's residence APN 039-41-16.

97-629 WATER RIGHTS DEED AND WATER SALE AGREEMENT - SIERRA PACIFIC POWER - WATER RESOURCES

Upon recommendation of John Collins, Utility Services Division Manager, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Water Rights Deed between Sierra Pacific Power Company, as

Grantor and Washoe County as Grantee for 2.16 acre-feet of surfacewater rights being a portion of Claim 86; and Water Sale Agreement between Sierra Pacific Power Company and Washoe County, be approved; that Vice Chairman Bond be authorized to execute the Water Rights Deed and Water Sale Agreement; and that the Utility Services Division Manager be directed to record the Water Rights Deed and Water Sale Agreement with the County Recorder.

It was noted that the water rights are being dedicated in support of the Alan Reich residence.

97-630 ACCEPTANCE OF GRANT - EDWARD BYRNE GRANT AND PARASOL FOUNDATION - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that grant funds in the amount of \$31,308.00 from the Edward Byrne Grant and \$10,436.00 from the Parasol Foundation for the continued funding in FY 1997/98 of a Student/Community Liaison Specialist be accepted; and that the following account transactions be authorized:

FY1997/98		
Increase Revenues:		
152448G/4301	\$31,308.00	
152448G/5802	\$10,436.00	
Increase Expenditures:		
152448G/7001		\$23,150.00
152448G/70185		\$ 3,900.00
152448G/7042		\$ 2,680.00
152448G/7048		\$ 5,072.00
152448G/7050		\$ 392.00
152448G/7357		\$ 500.00
152448G/7250		\$ 500.00
152448G/7261		\$ 300.00
152448G/7382		\$ 250.00
152448G/7620		\$ 1,000.00
152448G/72051		\$ 4,000.00
	\$41,744.00	\$41,744.00
TOTAL		

It was noted that due to the uniqueness of this position that the Student/Community Liaison position be full time (initial approval was permanent part-time) and to be worked under a "flex" schedule; that the "flex" schedule will allow the Student Liaison held by Ted O'Connell, to work varied hours associated with the multiple programs that he is involved in; and that the "flex" schedule will not impact current employee benefits.

97-631 EXPENDITURE - FEDERAL FORFEITURE FUNDS - HIGH SKID LANDING GEAR - OH58 HELICOPTER - SHERIFF

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that the Sheriff's Office be authorized to expend approximately \$9,500.00 of Federal Forfeiture funds to purchase High Skid Landing Gear painted white with skid step and skid shoes, Part Number 058-321-300 for an OH-58 Helicopter to better enable the helicopter to land in unimproved areas; and that the purchase be made from Aeronautical Accessories Inc., the manufacturer of Skid Gear.

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Bond ordered that "overfilling" of ten Deputy Sheriff positions for the August 1997 Law Enforcement Academy be authorized; that the Personnel Division be directed to eliminate any "overfill" positions previously authorized; and that the following conditions concerning the "overfill" positions be applied:

1. 10 "overfill" Deputy Sheriff positions would be created. The 10 Deputy Sheriff positions would be 800 series positions that would be separate and distinct from other permanent full-time Deputy Sheriff positions. This is intended to make it easier to track the positions including their costs.
2. 10 candidates would fill the 10 "overfill" positions until other Deputy Sheriff positions become vacant. The candidates would then be moved into the other vacant positions. At that time, the vacant "overfill" positions (that was just vacated) would be eliminated by the Personnel Division.
3. The Finance Division and the Sheriff's Department will return to the Board of County Commissioners with an "overfill" proposal for the January 1998 law enforcement academy as well as reporting the success and costs of the implementation of the "overfill" concept for the August 1997 academy.

97-633 AWARD OF BID - 1996/97 PAVING OVERLAY OF SELECTED STREETS - INCLINE VILLAGE AREA - ENGINEERING

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposed having been published in the Reno Gazette-Journal on May 15 and 22, 1997, for the 1996/97 Paving Overlay of Selected Streets in the Incline Village Area, Washoe County, Nevada. Proof was made that due and legal Notice had been given.

Following is a summary of bids received for the base bid and Alternates 1 and 2:

Granite Construction	\$325,167.50
Sierra Nevada Construction	\$359,665.00

Upon recommendation of Greg Belancio, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the bid for the 1996/97 Paving Overlay of Selected Streets in the Incline Village Area, Washoe County, Nevada be awarded to the low bidder Granite Construction Company, Inc., for the base bid and Alternates No. 1, 2 and 3 only, in the estimated amount of \$325,167.50; and that Vice Chairman Bond be authorized to sign the contract when presented.

97-634 AWARD OF BID - A FUEL STORAGE SYSTEM REPLACEMENT PHASE 6 - ENGINEERING

This was the time to consider award of bid, Notice to Contractors for receipt of sealed proposed having been published in the Reno Gazette-Journal on May 8, and 15, 1997, for A Fuel Storage System Replacement for Washoe County, Nevada, Phase 6. Proof was made that due and legal Notice had been given.

Following is a summary of bids received for the base bid and Alternates 1 and 2:

Bramco Construction Corporation	\$ 58,747.00
Marvin Smith Construction	\$ 69,380.00

Upon recommendation of Dave Price, County Engineer, through Dave Roundtree, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the bid for A Fuel Storage System Replacement for Washoe County, Nevada, Phase 6 be awarded to the low bidder Bramco Construction Corporation in the amount of \$58,747.00; and that

Vice Chairman Bond be authorized to execute the contract documents upon presentation.

97-635 AWARD OF BID - JANITORIAL PAPER PRODUCTS BID NO. 1985-97 - IN JOINDER

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on April 11, 1997, for Janitorial Paper Products in joinder with participating agencies. Proof was made the due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

C & M Food Distributor
Can Am Corporation
Dixon Paper Company
Easterday Supply
Unisource Corporation
Zellerbach Paper Company

National Sanitary Company submitted a "disqualified" bid; and A-1 Chemical failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Bond ordered that Bid No. 1985-97 for Janitorial Paper Products in joinder with the Douglas County School District, the City of Reno, the City of Sparks, Douglas County Purchasing, the Washoe County School District, the Churchill County School District, and the Reno Sparks Convention & Visitors Authority be awarded as follows:

Bidder	Bid Items
Can Am Corporation	#5C.
Dixon Paper Company	#2A, 2C, 4A, 5A, 10A & 10B.
Easterday Supply	#6A, 6C, 7A, 11A, 15A, 19A, 21A & 21B.
Unisource Corporation	#8A, 9A, 12A, 12B, 17A, 17B, 18A, 18B, 20A, 22A, 23A & 24A.
Zellerback Paper Company	#1A, 1C, 3A, 3C, 7C, 8B, 11B, 13A, 13B, 14A, 14B, 15B, 16A & 16B.

It was further ordered that Bid items #1B, 1D, 2B, 2D, 3B, 3D, 4B, 5B, 5D, 6B, 6D, 7B & 7D be rejected as they are not acceptable; that prices shall be honored and adhered to until June 30, 1998, with the County retaining an option to renew for an additional one-year period through June 30, 1999, providing pricing does not increase beyond that allowed in the Bid; and that this is a requirements type award in the estimated value of \$77,900.00 per year.

97-636 AWARD OF BID - COPIER MACHINE RENTALS BID NO. 1993-97 - HEALTH

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on April 8, 1997, for Copier Machine Rentals on behalf of the District Health Department. Proof was made the due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

High Sierra Copiers
Hughes-Calihan
IKON Office Solutions
Nevada Office Machines
Sierra Office Solutions

Skipco Inc.
TCM Business Systems
Xerox Corporation

Danka Industries submitted a "no-bid" response and Energy Control Products, Harvey's Business Machines, Lockwood-Moore, Inc., Officemax #234 and Pitney Bowes Management failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Bond ordered that Bid No. 1993-97 for Copier Machine Rentals on behalf of the District Health Department be awarded to the lowest bidder, Nevada Office Machines, Inc., for an approximate total bid award amount of \$50,615.04 for a forty-eight month rental period as follows:

Bid Items	Descriptions	Bid Amounts
#1	1-Ea. Gestetner 2770 Copier	\$ 29,923.20
70 copies per minute (Award total is based on a 48-month rental period, including 30,000 copies per month, service and supplies, except paper and staples)		
#2	1-Ea. Gestetner 2651 Copier	\$ 20,691.84
(Award total is based on 48-month rental period, including 18,000 copies per month, service, and supplies, except paper and staples)		
Total Bid Award		\$ 50,615.04

It was further ordered that the Board reject all bids on Bid Item #3 to buy-out the current lease before expiration in November 1997; and that the Purchasing and Contracts Administrator be authorized to enter into a forty-eight month rental Agreement with Nevada Office Machines, Inc., commencing July 1, 1997 or December 1, 1997.

It was noted that the payoff amount stated in the Invitation to Bid, provided by the current vendor was incorrect causing all of the bidder's pricing on Bid Item #3 to be incorrect; that the Purchasing Department will request a new buyout cost from the current vendor and attain new pricing from Nevada Office Machines, Inc., and should the payoff costs exceed the District Health Department's budgetary limits, the award of the new copier rental agreement may be delayed until the current agreement expires on 11-30-97.

It was further noted that the total estimated value of the award for forty-eight months is \$50,615.04; that due to the possibility of additional copy charges on Bid Item #1 (copies in excess of 30,000/per month), and Bid Item #2 (copies in excess of 18,000/per month), at a rate of \$.009/per copy, there may be a slight dollar increase over the award amount stated above.

97-637 AWARD OF BID - ONE YARD ARTICULATED FRONT END LOADER - BID NO. 2001-97 - UTILITY

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on May 28, 1997, for a One (1) Yard Articulated Front End Loader on behalf of the Utility Division of the Department of Water Resources. Proof was made the due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Empire Equipment Company
Western Power & Equipment
Cashman Equipment Company

Western Traction Company submitted a "no-bid" response.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Bond ordered that Bid No. 2001-97 for a One (1) Yard Articulated Front End Loader on behalf of the Utility Division of the Water Resources Department be awarded to the lowest responsive and responsible bidder, Empire Equipment Company, in the amount of \$62,635.00.

97-638 AWARD OF BID - LIQUID ASPHALT AND ANIONIC EMULSIFIED ASPHALT - BID NO. 2004-97 - ROADS

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on May 12, 1997, for Liquid Asphalt and Anionic Emulsified Asphalt for the Roads Division of the Public Works Department. Proof was made the due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- California-Fresno Oil Co.
- Huntway Refining Co.
- Morgan Emultech
- Paramount Petroleum Corp.
- Telfer Sheldon Oil

Reed & Graham failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Vice Chairman Bond ordered that Bid No. 2004-97 for Liquid Asphalt and Anionic Emulsified Asphalt for the Roads Division of the Public Works Department be awarded to the lowest, responsive, responsible bidders, meeting specification as follows:

California-Fresno Oil Co.			
Terms-Net 30 Days	Bid Item #2A	\$167.87	(SC800-Reno)
Huntway Refining Co.			
Terms-1%,30 Days	Bid Item #1	\$180.50	(MC800-Gerlach)
	Bid Item #1A	\$170.00	(MC800-Reno)
	Bid Item #2	\$180.50	(SC800-Gerlach)
Morgan Emultech			
Terms-Net 30 Days	Bid Item #3	\$160.12	(SS1-H-Gerlach)
	Bid Item #3A	\$152.08	(SS1-H-Reno)
	Bid Item #4	\$160.12	(SS1-Gerlach)
	Bid Item #4A	\$152.08	(SS1-Reno)
	Bid Item #5	\$201.84	(LMCRS-2H-Gerlach)
	Bid Item #5A	\$193.92	(LMCRS-2H-Reno)
Paramount Petroleum Corp.			
Terms-5%, 20 Days	Bid Item #3.1	\$189.60	(SS1-H-Spread-Gerlach)
	Bid Item #3A.1	\$179.00	(SS1-H-Spread-Reno)
	Bid Item #4.1	\$189.60	(SS1-Spread-Gerlach)
	Bid Item #4A.1	\$179.00	(SS1-Spread-Reno)

Telfer Sheldon Oil Co.

Terms-10%,20 Days

Bid Item #5.1 \$248.00

(LMCRS-2H-Spread-Gerlach)

Bid Item #5A.1 \$238.00

(LMCRS-2H-Spread-Reno)

It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a one-year agreement for Liquid Asphalt and Anionic Emulsified Asphalt, commencing July 1, 1997 through June 30, 1998, with Washoe County retaining a one-year renewal option, provided services have been satisfactory in the opinion of Washoe County and there is no increase in price; that these are road maintenance items and shall be procured on a requirements basis; and that the estimated value of the award is \$110,000.00 per fiscal year.

It was noted that although Morgan Emultech submitted lower base prices on Bid Items 5.1 and 5A.1, Telfer Sheldon Oil Co., offered a 10%-Net 20 Days discount, which makes them the low bidder for these items.

97-639 AGREEMENT - TESTING & INSPECTION SERVICES 1996/97 PAVING OVERLAY OF SELECTED STREETS INCLINE VILLAGE AREA - ENGINEERING

Upon recommendation of Greg Belancio, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, it was ordered that an Agreement for Testing and Inspection Services between Washoe County and Lumos & Associates, Inc., for the 1996/97 Paving Overlay of Selected Streets in the Incline Village Area, Washoe County, Nevada in an estimated amount of \$16,378.75 be approved, and Vice Chairman Bond be authorized to execute on behalf of Washoe County.

97-640 RENEWAL AGREEMENT - PATHOLOGY SERVICES FY1997/98 - CORONER

Upon recommendation of Vernon McCarty, Washoe County Coroner, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Renewal Agreement between Washoe County and Sierra Pathology Associates, concerning autopsy and histopathology services in the amount of \$151,106.00 for Fiscal Year 1997/98 be approved, and Vice Chairman Bond be authorized to execute.

97-641 RENEWAL AGREEMENT - JOB OPPORTUNITIES IN NEVADA (JOIN) - ADMINISTRATIVE SERVICES - FINANCE

Upon recommendation of Lisa Gianoli, Senior Administrative Analyst, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that a Renewal Agreement between Washoe County and Job Opportunities in Nevada (JOIN) concerning general administrative services, be approved and Vice Chairman Bond be authorized to execute.

97-642 AGREEMENT - CONSULTING ENGINEERING - EAST WASHOE VALLEY STORM DRAIN MASTER PLAN - WATER RESOURCES

Upon recommendation of Leonard Crowe, Water Resources Planning Manager, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, it was ordered that an Agreement for Consulting Engineering Services between Washoe County and SEA, Incorporated, concerning the East Washoe Valley Storm Drain Master Plan in the amount of \$45,350 for Phases I and II, be approved; that Vice Chairman Bond be authorized to execute; and that staff be authorized to issue the notice to proceed.

97-643 REFUND OF TAXES - THE PERFECT CUP - I.D. #2/213-001

Pursuant to James Barnes, Deputy District Attorney's Opinion No. 6343, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that the request by The Perfect Cup for refund of taxes paid on Personal Property ID# 2/213-001 for the 1996-97 tax year be denied for the reasons stated in the Decision placed on file with the Clerk.

Pursuant to James Barnes, District Attorney Opinion No. 6342, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, it was ordered that the following resolution be adopted and that Vice Chairman Bond be authorized to execute on behalf of Washoe County:

RESOLUTION -- Directing the County Treasurer to Refund Taxes

WHEREAS, The Board of Commissioners of Washoe County, pursuant to NRS 354.240 has the authority to direct the County Treasurer to refund to an applicant the amount of money paid into the County Treasury in excess of the amount legally payable; and

WHEREAS, Richard D. Wood (Taxpayer) made application for the refund of 1996-1997 real property taxes because based upon an assessment error, the Assessor's Office misappraised the Taxpayer's property, APN 023-081-24; and

WHEREAS, Richard D. Wood has overpaid taxes for fiscal year 1996-1997 in the amount of \$650.60; and;

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County be and hereby is authorized and directed to refund to Richard D. Wood a total of \$650.60, that amount being the taxes overpaid by Richard D. Wood for the tax year 1996-1997 on APN 023-081-24.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of the refund.

97-645 APPOINTMENT & REAPPOINTMENT - GERLACH/EMPIRE CITIZEN ADVISORY BOARD- COMMUNITY DEVELOPMENT

Upon recommendation of Leslie Roylance, Department of Community Development, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that Clifford Weldon be appointed to serve as an at-large representative and Patricia Hanneman and Bruno Selmi be reappointed to serve as at-large representatives on the Gerlach/Empire Citizen Advisory Board with terms expiring on June 30, 1999.

97-646 APPOINTMENT & REAPPOINTMENT - WARM SPRINGS ADVISORY BOARD - COMMUNITY DEVELOPMENT

Upon recommendation of Leslie Roylance, Department of Community Development, on motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that Wanda Wright be appointed and Philip Anderson, Tom Pratt and Gary Tanner be reappointed to the Warm Springs Citizen Advisory Board for at-large positions with terms to expire June 30, 1999.

97-647 LITIGATION - DONREY BILLBOARD LEASE - SIGN REMOVAL RANCHO SAN RAFAEL - PARKS

Karen Mullen, Assistant Director, Parks & Recreation Department, reviewed background information concerning this item advising that Gene Sullivan, former Parks Director, had signed a Lease Agreement with Donrey Outdoor Advertising Company in 1994 for two billboard signs located at Rancho San Rafael Park. She explained that according to the lease provisions, the initial lease term expired on June 1, 1994 providing for a lessee's option to extend for another ten-year period by giving written notice at least sixty days prior to the expiration of the initial term; that on January 25, 1994 the Washoe County Park Commission recommended that the lease agreement be terminated; that the D.A.'s Office sent a written demand in April 1994 for Donrey to remove the signs which they refused to do; that it is the D.A.'s opinion that Donrey's attempt to exercise its option to extend the lease was not done in a timely manner; that the Lease was never approved by the Board of County Commissioners and therefore is considered to be

invalid; and that upon the advice of the D.A.'s Office, the Parks Department has not accepted any payments from Donrey although they have been forwarding payments for the past four years.

Upon recommendation of Karen Mullen, Assistant Director, Parks & Recreation Department, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, with Commissioner Mouliot voting "no," Vice Chairman Bond ordered that the District Attorney's Office be authorized to institute whatever legal action may be necessary to determine the legal status and validity of a Lease Agreement with Donrey Outdoor Advertising Company, relating to two billboard signs located at Rancho San Rafael Park and to require the removal of the signs.

97-648 WATER RIGHTS CHANGE APPLICATIONS 53407, 53409 THRU 53420, 53422 THRU 53428, 53432 THRU 53433 & 54134 THRU 54138

Madelyn Shipman, Legal Counsel, reviewed discussion at yesterday's caucus and background information concerning the status of Water Rights Change Applications 53407, 53409 thru 53420, 53422 thru 53428, 53432 thru 53433 & 54134 thru 54138 originally filed by Washoe County as the mechanism to utilize groundwater resources from Honey Lake Valley through the Truckee Meadows Project (TMP). She advised that staff is requesting additional time to explore an issue relating to why these permits are being treated differently than other permits currently existing in the State Engineer's Office; that one option is to obtain an opinion from the Attorney General's Office regarding the status of the statute or alternatively, seek the permits being issued based upon current Option Agreements between Washoe County and Northwest Nevada Limited Partnership; that the D.A.'s office is recommending that the Board exercise an option allowing them to expend money up to a necessary amount to obtain the permits with the understanding that they may attempt to do so by submitting an Option Agreement and dependent upon what occurs at the State Engineer's Office they could then proceed with the water sale approach; and that any agreements which might be negotiated would be brought back to the Board for approval.

Vice Chairman Bond inquired if the Board could move forward in obtaining an Attorney General's opinion and request an extension of time from the State Engineer without proceeding with the water purchase or paying for the permits, and Ms. Shipman stated that this would be possible although she would have a problem in terms of not obtaining full authority today on this issue should the State Engineer indicate that an Attorney General's opinion would not make a difference in his determination and that the County needs to move forward; and that it is her belief that the Board should be in a position to move forward.

Following discussion, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Vice Chairman Bond ordered that the District Attorney's Office be authorized to pursue options other than Option #3 (to notify the State Engineer that the County does not desire to obtain the permits at this time) contained in a memorandum dated June 10, 1997 from John Collins, Utility Services Division Manager; that these options may include, but not be limited to, seeking further opinions from the Attorney General and possible processing of permits and payment of permit fees, if necessary; and that funding for this purpose would not exceed, with the exception of in-house expenses what would be necessary to pay for the permit fees.

97-649 JAIL EXPANSION - ADDITIONAL SERVICES - GANTHNER MELBY LEE - PUBLIC WORKS

Dave Roundtree, Public Works Director, responded to questions of the Board concerning a request to approve additional services and expenses from Ganthner Melby Lee design team concerning the jail expansion project.

Commissioner Mouliot stated that Summit Engineering had done the grading design for the additional housing unit and requested that they receive recognition for their work which they performed at no expense to the County.

Upon recommendation of Dave Roundtree, Public Works Director, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Vice Chairman Bond ordered that additional services and associated expenses outlined in three separate proposals presented by Ganthner Melby Lee which were placed on file with the Clerk, concerning design of the jail expansion project, be approved as outlined by staff.

LEGISLATIVE UPDATE

Madelyn Shipman, Assistant District Attorney, discussed pending legislation regarding SB208 advising that the Chairman of the Judiciary Committee has requested that the three local entities render an official position concerning SB208, a bill that would effect casinos not currently designated as tourist destination resorts under State law and consisting of less than 200 rooms; that the cities of Reno and Sparks have sent individual letters to the subcommittee opposing the bill on the basis that these are gaming licenses and do not deal with the issue of location or zoning; and that it would impact the legislative right of the entities to regulate zoning and determine appropriate land uses within their locale.

Commissioner Galloway suggested that the Board express their concerns regarding the bill but not take an official position at this time indicating that one of the concerns would be that the bill tends to establish a voting process in which the voters would be only the persons most likely to oppose a development, whereas under the present planning process, these decisions are normally made by the elected representatives for the interest of the community as a whole and would nullify the normal planning process and Washoe County's regional planning process; that this issue is a local problem that should be dealt with at the local level as the bill was directed specifically for Clark County, although there some constituents in Washoe County who have indicated a desirability of having this law apply to Washoe County as well.

Commissioner Galloway speaking on his own behalf, stated that he is in support of AB596 which proposes to establish a separate school district for the Incline Village area.

COMMUNICATIONS AND REPORTS

The following Communications and Reports were received, duly noted, and placed on file with the Clerk.

97- 650 Communications:

- A. Notification from the City of Sparks of its intent to annex 34.35 acres of land located on the west side of Pyramid Highway, approximately 2 miles north of the intersection of Pyramid Highway and North McCarran Boulevard (Big Canyon Ranch--Joseph Capurro), pursuant to Bill No. 2071.
- B. Original copy of a document containing the Special Provisions, Proposal, Contract and Bond from NDOT on their Contract No. 2794 (readvertised), Project No. SP-EQ-5767(009), Reno Equipment Shop Miscellaneous Remodel at the Equipment Repair Building, Washoe County, K-W Western, Inc., Contractor. [Forwarded to Public Works on June 4, 1997]
- C. Notification from the State of Nevada, Board of Sheep Commissioners, of the special tax to be levied by the Boards of County Commissioners upon sheep in the County for the tax year July 1, 1997 through June 30, 1998.
- D. Material submitted by Rand Cantrell, Real Estate Project Manager, Air Touch Cellular, concerning their application before the Public Service Commission regarding their proposal to construct a 50-foot self-supporting tower and to place a (HxQxD) 10-foot by 20-foot by 12-foot prefabricated communications building adjacent to the existing tower at said site, which material includes all presented to the Washoe County Planning Commission in their approval of SPW2-8-97 on April 1, 1997.
- E. From the Reno Police Department, a Memorandum showing the real property which now falls under the jurisdiction of the University of Nevada Reno Police Department in accordance with the Interlocal Agreement signed December 10, 1991.

97-651 Reports - Monthly [April, 1997]

- A. Animal Control
- B. County Clerk
- C. Court Clerk
- D. Social Services
- E. Treasurer

97-652 Reports - Quarterly [3rd Quarter - Jan, Feb, Mar, 97]

- A. Verdi Television District
- B. Washoe County School District

97-653 Tentative Budget - 1997/1998 Palomino Valley General Improvement District

97-654 Final Budget - 1997/1998 Reno-Sparks Convention & Visitors Authority

97-655 Final Budget - 1997/1998 Verdi TV District

97-656 Final Budget - 1997/1998 Sparks Redevelopment Agency

97-657 Final Budget - 1997/1998 Sparks

97-658 Final Budget - 1997/1998 Sun Valley Water & Sanitation District

97-659 Final Budget - 1997/1998 Regional Transportation Commission

97-660 Final Budget - 1997/1998 Reno

97-661 Final Budget - 1997/1998 Reno Redevelopment Agency

97-662 Final Budget - 1997/1998 Washoe County School District

97-663 Final Budget - 1997/1998 Incline Village General Improvement District

10:10 a.m. There being no further business to come before the Board, the meeting adjourned to a closed personnel session for the purpose of discussing negotiations with Employee Organizations.

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JOANNE BOND, VICE CHAIRMAN
Washoe County Commission

ATTEST: JUDI BAILEY, County Clerk